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J1064 U.S. PTO

Frederick P. Fish  
1855-1930

W.K. Richardson  
1859-1951

02-01-02  
FISH & RICHARDSON P.C.

January 30, 2002

Attorney Docket No.: 12557-002001

**Box Patent Application**  
Commissioner for Patents  
Washington, DC 20231

Presented for filing is a new patent application claiming priority from a provisional patent application of:

Applicant: ANDREW P. KLOEK, BRANDY SALMON AND DERYCK JEREMY WILLIAMS

Title: NEMATODE MDH-LIKE SEQUENCES

Enclosed are the following papers, including those required to receive a filing date under 37 CFR §1.53(b):

	<u>Pages</u>
Specification	40
Claims	4
Abstract	1
Declaration	[To be Filed at a Later Date]
Drawing(s)	4

Enclosures:

- New disclosure information, including:  
Information disclosure statement, 1 pages; PTO-1449, 2 pages.  
References, 17 items.
- Request for NonPublication.
- Postcard.

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EL932079240US

I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit January 30, 2002

Signature [Signature]

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This application is entitled to Small Entity Status.

Under 35 USC §119(e)(1), this application claims the benefit of prior U.S. provisional application 60/266,037, filed February 2, 2001.

Basic filing fee	\$370
Total claims in excess of 20 times \$9	\$27
Independent claims in excess of 3 times \$42	\$42
Fee for multiple dependent claims	\$0
Total filing fee:	\$439

A check for the filing fee is enclosed. Please apply any other required fees or any credits to deposit account 06-1050, referencing the attorney docket number shown above.

If this application is found to be incomplete, or if a telephone conference would otherwise be helpful, please call the undersigned at (617) 542-5070.

Kindly acknowledge receipt of this application by returning the enclosed postcard.

Please send all correspondence to:

ANITA L. MEIKLEJOHN, PH.D.  
Fish & Richardson P.C.  
225 Franklin Street  
Boston, Massachusetts 02110-2804

Respectfully submitted,

Anita L. Meiklejohn, Ph.D.  
Reg. No. 35,283

Enclosures

ALM/caa  
20381256.doc

20020130 013002

**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Andrew Kloeck et al.
Title	NEMATODE MDH-LIKE SEQUENCES
Atty Docket Number	12557-002001

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

30 January 2002  
Date

Signature

Anita L. Meiklejohn, Ph.D.  
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**